

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8079 of 2019

Arising Out of PS. Case No.-295 Year-2018 Thana- AMAS District- Gaya

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DINESH YADAV @ KAIL YADAV, aged about 32 years, Male, Son of
Basudeo Yadav Resident of Village - Pathara, P.S.- Amas, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Madhuri Lata

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 13-02-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Amas P.S. Case No. 295 of 2018, disclosing offences under
Sections 272, 273 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

Section 76(2) of the Bihar Prohibition and Excise Act,
2016, bars application of Section 438 of the Criminal Procedure
Code. Based on the allegation made in the First Information
Report, a case under Section 30 of the Act is made out, in my
opinion.

In that view of the matter, this application cannot be
maintained and is accordingly dismissed.

However, the petitioner is directed to surrender before



the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

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